IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3756 OF 2007
IN
CRIMINAL APPEAL NO. OF 2007

The State of Maharashtra] .. Applicant
(Ori.Compltt.)

Versus

Mahadeo Yogiraj Kakade] .. Respondent
(Ori.Accu.No.1)

Mrs. P.H. Kantharia, APP, for the applicant.

CORAM: S.B. MHASE &
SMT.V.K. TAHILRAMANI, JJ.

DATED: 19TH DECEMBER, 2007

P.C. :

1. Heard.

2. Perused the judgment. We find that there are several improvements and discrepancies in the ocular evidence and the Judge who has tried the case has rightly disbelieved the eye-witnesses.We also find that there was a scuffle and the Police has given Yadi to the accused persons to get examined from the doctors. However, no counter case appears to have been filed. We find that the view expressed by the trial Judge is a possible view. No interference is called for. Application is rejected.

Sd/- Sd/-

[SMT.V.K. TAHILRAMANI, J.] **[S.B. MHASE, J.]**